



8760 Inc.

December 10, 2002

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
One South Station
Boston, MA 02110

Re: Competitive Market Initiatives, D.T.E. 01-54

Dear Secretary Cottrell:

This filing is in response to the Report on Internet Transmission Protocols of the Massachusetts Electronic Business Transactions Working Group ("EBT Working Group") filed on November 27, 2002. While I appreciate the fact that I am specifically mentioned and thanked in the report, I must take exception to the statement that I in any way "validated" the group's findings.¹ In fact, I fervently disagree with the recommendation of the EBT Working Group to utilize the so called EDIINT AS2 protocol.

At the single EBT Working Group meeting I was invited to, I urged the group to reconsider their proposed recommendation and to adopt the Electronic Delivery Mechanism (Internet) standards of the North American Energy Standards Board, NAESB (labeled in the report as the Gas Industry Standards Board or GISB standards, the organization's precursor). The LDC representatives in the EBT Group obviously did not heed my advice. Furthermore, I was not invited back to any of the EBT Working Group's subsequent meetings, nor was I afforded any opportunity to vote on the recommendation.

The NAESB/GISB EDM standards are the premier standards utilized in the deregulated energy industry to exchange data electronically over the Internet. These standards are in daily use for deregulated electricity transactions in Pennsylvania, New York, New Jersey, Ohio, Illinois, Texas, and other states. There is simply no rational reason for the Commonwealth of Massachusetts to utilize an Internet standard different from that which is being successfully utilized in the overwhelming majority of jurisdictions that offer energy choice at the retail level.

¹ Massachusetts EBT Working Group, Report on Internet Transmission Protocols, Version 1.1, October 24, 2002, p.1.

It should also be noted that *all* of the competitive suppliers who expressed an opinion preferred the NAESB EDM standards. The suppliers raise many valid points in their dissent filing which need not be repeated here. However, an article in the December 4, 2002 *Restructuring Today* had a concise and accurate summation of the issue: "Requiring Massachusetts competitive suppliers to increase their operating costs 'only inhibits their ability to provide low-cost power alternatives to the Massachusetts consumer, especially the small commercial and residential customers.'"²

Yet this is exactly what will happen if the DTE adopts the recommendation of the EBT Working Group and establishes a standard different from that in the other states where the marketers participate. It will require that the suppliers support 2 separate systems – one for Massachusetts and one for all of the other states. One has to ask who will bear the costs of these unnecessary and duplicative systems. The unfortunate answer is the consumers of the Commonwealth.

The DTE should reject the recommendation of the EBT Working Group to utilize the EDIINT AS2 "standard" and should instead order the adoption of the NAESB EDM standards for use in deregulated transactions in Massachusetts. In the alternative, the DTE may ask the EBT Working Group to reconsider its recommendation, only this time instruct the group to allow *all* interested market participants to vote on the recommendation. These include the LDCs of course, but would also include competitive suppliers and the vendors who supply the necessary software. I am confident that the resulting recommendation would be different when all interested parties are allowed to contribute to – and vote – on the recommendation.

I appreciate the opportunity to submit these comments and remain available to answer any questions the DTE may have on this matter.

Sincerely yours,

James H. Buccigross
Vice-President, Energy

Executive Committee Chairman,
North American Energy Standards Board

cc: Rae McQuade, Executive Director, NAESB
William Boswell, Chairman of the Board, NAESB
Service List, D.T.E. 01-54

² "Marketers fear Mass utility plan to change web standard," *Restructuring Today*, December 4, 2002, p. 3.